

Appl. No. 10/025,922

Amdt. Dated: April 13, 2004

Reply to Office Action of: November 13, 2003

## **REMARKS**

The Applicants thank the Examiner for his comprehensive comment on the applicability of the art and to the arguments submitted in the previous response. The Applicants have submitted herewith amendments to claims 1 and 16, the two independent claims, that are believed to further differentiate over the art of record and explicitly recite the structure within the independent claims that differentiates over that art.

The essence of the Applicants analysis of the reference to Cook is that it shows a lip extension mechanism that operates to move the lip from a stored to a bridging position as the deck moves toward an elevated position. The essential components of the lip extension mechanism are shown in detail in Figure 9 although of course, further details of the structure can be obtained from the additional drawings as noted by the Examiner. It will be noted from Figure 9 that the lip is extended by interaction between the link 94 and the pin 110. As the deck is elevated, the chain 106 causes rotation of the link 94 about the pin 102 and causes the pin 110 to slide along the inclined surface presented by the link 94. This movement is transferred into the lip which pivots about its hinge 116 and is extended. Equally, it is apparent that removal of the tension from the chain 106 permits a movement of the link 94 in the opposite direction which in turn will allow the lip to pivot towards the stored position. Thus, it seems apparent from the description in the Cook patent that as the deck is moved from an elevated to a stored position, there is a corresponding movement of the lip determined by the geometry of the deck.

By contrast, the invention disclosed and claimed in claims 1 and 16 has both a lip operating mechanism that moves the lip from a stored to a bridging position and also has a latch that holds the lip in that bridging position. As will be explained more fully below, it is believed that the Cook reference does not have both a lip operating mechanism to move the lip from the stored to the bridging position and a latch to hold it in the bridging position. Cook simply has a lip operating mechanism.

The use of the term latch implies that there is device that maintains a certain disposition of components after a particular condition has been reached. In the present application, that latch is provided by the movement of the block 82 once the lip has attained the extended or bridging position so that the head 134 is moved behind the end of the lever 106 to hold the lip extended. Once the block has been moved into that position, it is operable to maintain a disposition of the

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lip relative to the deck. With the latch set as shown in Figure 6, movement of the deck back toward the stored position will not affect the relative disposition between the lip and the deck. The lip is thus latched in position and the latch holds the lip in the bridging position.

To further clarify the distinction in the claim, claim 1 has been amended to recite that the latch holds the lip in the bridging position "upon movement of the deck assembly from the elevated position toward the stored position."

The Cook reference simply does not show such a device. The Examiner has referred to column 7, lines 49 to 61 in which Cook refers to means for maintaining the lip plate in the second position at a time when the main deck is in its second position. However, Cook neither suggests nor shows any device that functions to hold the lip plate in the second position when the deck is in other than its second i.e. elevated position. As discussed above, movement of the deck from the second position in Cook causes a corresponding movement of the lip. The mechanism of Cook does not hold the lip in the bridging position upon movement of the deck assembly from the elevated position toward the stored position.

Accordingly, claim 1 is believed to clearly and patentably differentiate over the Cook reference and the corresponding amendment to claim 16 similarly distinguishes that claim from the Cook reference.

To further clarify the distinctions of the present application over Cook, the operation of the release of the latch has been explicitly set forth in the amendment to the claims. It is now specified that the latch releases the lip upon relative movement between the lip and the deck assembly "in a first direction that would move the lip beyond the bridging position." This is the arrangement shown in Figure 5 in which engagement of the lip with the truck causes the lip to be moved beyond the bridging position and allows the latch to be released. This then permits relative pivotal movement between the lip and the deck without the constrain of the latch which would otherwise hold it in a particular position. Again, there is no teaching in Cook of a latch and therefore there can be no teaching of a release of a latch upon the relative movement specified in the claim.

To further specify the nature of the yieldable connection, claim 1 has been amended to recite that the relative movement is between the deck and the assembly in a direction opposite to the first direction.

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It is believed that the distinctions made in the claim more clearly specify the operations of the latch recited in the claim and in view of the absence of a latch that functions in the manner recited clearly and patentably distinguishes over Cook.

Each of the claims presently in the application depend either directly or indirectly from either claims 1 or 16 and in view of the distinctions between claims 1 and 16 to the Cook reference, it is believed that the dependent claims similarly clearly and patentably distinguish over that reference.

Further consideration and action to allowance is respectfully requested.

Respectfully submitted,



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